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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,583	08/22/2000	Arun K. Gupta	102153-100	9983

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WIGGIN & DANA LLP
ATTENTION: PATENT DOCKETING
ONE CENTURY TOWER, P.O. BOX 1832
NEW HAVEN, CT 06508-1832

EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/643,583

Applicant(s)

GUPTA ET AL.

Examiner

Oanh L. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-6 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

a. Claim 3 recites the limitation "the placement" in line 3. There is insufficient antecedent basis for this limitation in the claim.

b. In claim 3, Examiner does not clearly understand the limitation "method of derivation for all elements comprising said web page." For the purpose of examination, examiner assumes this limitation means defining a placement and derivation for elements in said web page.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over (Li) (US 6,591,266 B1).

Regarding claim 1, Li teaches a method for providing a requestor with access to dynamic data via quasi-static data requests (e.g., see fig. 2 col. 1 lines 18-22), comprising the steps of defining a web page, said web page including at least one

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dynamic element (e.g., see col. 3 lines 31-49); creating an executable digital code to be run on a computer (e.g., see col. 3 line 66-col. 4 lines 12) and invokes at define intervals by a scheduler component said executable code effective to create and store a quasi-static copy of said defined web page (e.g., see col. 18 line 45-col. 19 line 19); creating said scheduler component capable of invoking said executable code at predetermined intervals (e.g., see col. 18 line 45-col. 19 line 19); loading said executable code and said scheduler component onto a platform in connectivity with a web server and with one another (e.g., see fig. 7 col. 12 lines 31-44 and col. 26 lines 32-61); invoking execution of said scheduler component (e.g., see col. 18 line 45-col. 19 line 19); and retrieving and returning the static copy of said defined web page in response to requests for said defined web page (e.g., see col. 8 line 64-col. 9 line 17). Li teaches a program that knows the association between an operation and its associated data, and checks, at periodic intervals, whether the data has changed. It is obvious to one of ordinary skill in the art that scheduler component must be loaded onto a computer platform before its execution which triggers the program to check the changing or modifying of data periodically.

Regarding claim 2, Li teaches the web page is defined and stored in a repository (e.g., see col. 38 lines 28-49).

Regarding claim 3, Li teaches defining a placement and derivation for elements in said web page (e.g., see col. 13 line 57-col. 14 line 28); and defining said web page as either static or dynamic (e.g., see col. 9 lines 54-64).

Regarding claim 4, Li teaches said elements are defined as dynamic or static (e.g., see col. 1 line 20-22).

Regarding claim 5, Li executable code and scheduler code is generated from Business Class definitions (e.g., see col. 2 lines 19-46).

Regarding claim 6, Li teaches static copy of defined web page is stored in a format capable of being viewed by a web browser (e.g., see fig. 4 col. 3 lines 24-30).


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



O.D
July 26, 2003


HOSAIN T. ALAM
PRIMARY EXAMINER